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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,568	10/27/2003	Stephen Michael Hartley	858-011568-US(PAR)	3544
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/694,568

Applicant(s)

HARTLEY, STEPHEN MICHAEL

Examiner

PHENUEL S. SALOMON

Art Unit

2178

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 10, 12-16, 18-24, 26-30, 32-38, 40-43, 45-47, 49-58 and 61-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 10, 12-16, 18-24, 26-30, 32-38, 40-43, 45-47, 49-58 and 61-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-848)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the Request for continued examination filed on October 03, 2008. Claims 1, 2, 4, 5, 7, 12-16, 18, 19, 21, 26-30, 32, 33, 35, 40-43, 47, 49, 50, 52, and 56-58 are amended; claims 3, 11, 17, 25, 31, 39, 44, 48, and 59-60 are cancelled, and claims 1-2, 4-10, 12-16, 18-24, 26-30, 32-38, 40-43, 45-47, 49-58 and 61 are pending.
2. The objections to claims 27-28 have been withdrawn pursuant to applicant amendments.
3. The rejections of Claims 1, 9, 12, 14-15, 23, 26, 28-29, 37, 40, 42-43, 46, 54, 56, 58, and 61-63 under 35 U.S.C. 103(a) as being unpatentable over Meppelink et al. (US 5,542,069) in view of Sullivan (US 5,737,557) and in further view of Brendle (US 2003/0222919 A1) pursuant to applicant amendments.
4. The rejections of Claims 2, 4-8, 10, 13, 16, 18-22, 24, 27, 30, 32-36, 38, 41, 45, 47, 49-50, 51-53, 55, 57, under 35 U.S.C. 103(a) as being unpatentable over Meppelink et al. (US 5,54,069) in view of Sullivan (5,737,557) in view of Brendle (US 2003/0222919 A1) and in further view of Bahrs (7,181,686 B1) pursuant to applicant amendments

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.
6. Claims 15-16, 18-24, 26-30, 32-38, 40-42 and 63 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 15-16, 18-24, 26-30, 32-38, and 40-42 are drawn to a system and electronic device respectively that merely constitute of software. A computer program is not a series of steps or acts and this is not a process. A computer program is not a physical article or object and as such is not a machine or manufacture. A computer program is not a combination of substances and therefore not a compilation of matter. Thus, a computer program by itself does not fall within any of the four categories of invention. Therefore, these claims are not statutory.

Claim 63 recites a device comprising: a first application, a second application and a view router that could be interpreted as software. This claim fails to fall within a statutory category of invention; therefore, it is non-statutory.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 9, 12, 14-15, 23, 26, 28-29, 37, 40, 42-43, 46, 54, 56, 58, and 61-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meppelink et al. (US 5,542,069) in view of Sullivan (US 5,737,557) and in further view of Balsara (US 6,065,012).

Claims 1, 15, 29 and 43: Meppelink discloses a method, a system, an electronic device and a computer readable storage medium, comprising:

passing said view chain data structure to a view router from a first application (col. 4, lines 39-50);

automatically by said view router (col. 4, lines 49-50) [the router routes real I/O messages which is done automatically] but does not disclose launching a first view based on a first entry in said view chain data structure. However, Sullivan discloses a plurality of buttons, which correspond to individual software suite when select one of the access buttons open or launch the corresponding software (col. 5, lines 25 -45). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include view launcher in Meppelink. One would have been motivated to do so in order to define dynamically new view routes while application is being executed, but do not disclose,

determining a view chain data structure comprising at least three entries, each of said entries comprising an application identifier and a view identifier; a view identified by said view identifier is associated with an application identified by said application identifier;

checking whether unprocessed entries remain in said view chain data structure;

launching a second view based on a second entry in said view chain data structure automatically by said view router when unprocessed entries remain in said view chain; and

continuing said first application when no unprocessed entries remain in said view chain data structure.

However Balsara discloses a dynamic summary view where data may include information on the user's current electronic mail, the user's calendar appointments , a list of important tasks, and a contact field (col. 9, lines 55-63 and fig. 2).

checking whether unprocessed entries remain in said view chain data structure (col. 10, lines 26-30) [when new updated information is being sensed];

launching a second view based on a second entry in said view chain data structure automatically by said view router when unprocessed entries (*newly updated information*) remain in said view chain (col. 10, lines 30-35); and

continuing said first application when no unprocessed entries remain in said view chain data structure (col. 10, lines 40-44). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include Balsara features in Meppelink. One would have been motivated to do so in order to better convey operating information to the user.

Claims 9, 23, 37 and 54: Meppelink, Sullivan and Balsara disclose the method, system, an electronic device and a computer readable storage medium as in claims 1, 15, 29 and 43 above, Sullivan further discloses said view comprises user interface elements (fig 1a &b). One would have been motivated to do so in order to facilitate access to resources regarding the various application programs.

Claims 12, 26, 40 and 56: Meppelink, Sullivan and Balsara disclose the method, system, an electronic device and a computer readable storage medium as in claims 1, 15, 29 and 43 above, Meppelink further discloses at least part of said view chain is specified in the memory of said electronic device (fig. 1) [it is old and well known within the computing arts in order to run a program/code a portion of the memory is allocated to that particular program].

Claims 14, 28, 42 and 58: Meppelink, Sullivan and Balsara disclose the method, system, an electronic device and a computer readable storage medium as in claims 1, 15, 29 and 43 above, Meppelink further discloses said view chain is determined based on user actions (col. 3, lines 33-41).

Claim 46: Meppelink, Sullivan and Balsara disclose the computer readable storage medium according to claim 43, Meppelink further discloses said computer readable medium is a magnetic or optical disk (fig. 1, item 18).

Claim 61: Meppelink, Sullivan and Balsara disclose the computer readable storage medium according to claim 43 above, Meppelink further discloses said view router is implemented as a library (fig. 1, item 18).

Claim 62: Meppelink, Sullivan and Balsara disclose the computer readable storage medium according to claim 43 above, wherein said view router is implemented as an own application (col. 2, lines 24-40).

Claim 63: Meppelink discloses an electronic device, comprising:

a second application (modules) comprising at least one view (col. 4, lines 39-50) [I/O constitutes a plurality of views or windows]; and

pass said view chain data structure to a view router (col. 4, lines 39-50)

automatically by said view router (col. 4, lines 49-50) [the router routes real I/O messages which is done automatically] but does not disclose launch a first view based on a first entry in said view chain data structure. However, Sullivan discloses a plurality of buttons, which correspond to individual software suite when select one of the access buttons open or launch the corresponding software (col. 5, lines 25 -45). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include view launcher in Meppelink. One would have been motivated to do so in order to define dynamically new view routes while application is being executed, but do not disclose,

a first application, said first application configured to determine a view chain data structure comprising at least three entries, each of said entries comprising an application identifier and a view identifier; a view identified by said view identifier is associated with an application identified by said application identifier;

to check whether unprocessed entries remain in said view chain data structure;

to launch a second view based on a second entry in said view chain data structure automatically by said view router when unprocessed entries remain in said view chain; and

to continue said first application when no unprocessed entries remain in said view chain data structure.

However Balsara discloses a dynamic summary view where data may include information on the user's current electronic mail, the user's calendar appointments , a list of important tasks, and a contact field (col. 9, lines 55-63 and fig. 2).

to check whether unprocessed entries remain in said view chain data structure (col. 10, lines 26-30) [when new updated information is being sensed];

to launch a second view based on a second entry in said view chain data structure automatically by said view router when unprocessed entries (*newly updated information*) remain in said view chain (col. 10, lines 30-35); and

to continue said first application when no unprocessed entries remain in said view chain data structure (col. 10 , lines 40-44). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include Balsara features in Meppelink. One would have been motivated to do so in order to better convey operating information to the user.

9. Claims 2, 4-8, 10,13, 16, 18-22, 24, 27, 30, 32-36, 38, 41, 45, 47, 49-50, 51-53, 55, 57, are rejected under 35 U.S.C. 103(a) as being unpatentable over Meppelink et al. (US 5,54,069) in view of Sullivan (5,737,557) in view of Balsara (US 6,065,012) and in further view of Bahrs (7,181,686 B1).

Claims 2, 16, 30 and 47: Meppelink, Sullivan and Balsara disclose the method, system, an electronic device and a computer program as in claims 1, 15, 29 and 43 above, but do not disclose

gathering data from said first view and said second view; and passing said data from said view router to said first application or to a subsequent application identified in said view chain data structure. However, Bahrs discloses a data collection method from user and processing such data (col 4, lines 20 -

30). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include data collection in Meppelink. One would have been motivated to do so in order to simulate user actions in a reliable manner.

Claims 4, 18, 32 and 49: Meppelink, Sullivan Balsara and Bahrs disclose the method, system, an electronic device and a computer program as in claims 2, 16, 30 and 47 above, Bahrs further discloses said gathered data is organized into a journal list comprising an entry for each view in said view chain data structure (col. 19, lines 1-8). One would have been motivated to do so in order to facilitate the user interaction with different views.

Claims 5, 19, 33 and 50: Meppelink, Sullivan Balsara and Bahrs disclose the method, system, an electronic device and a computer program as in claims 2, 16, 30 and 47 above, Bahrs further discloses said gathered data is organized into a list of type and value pairs (col. 48, lines 37-45). One would have been motivated to do so in order to dynamically refresh or change the view display.

Claims 6, 20, 34 and 51: Meppelink, Sullivan Balsara and Bahrs disclose the method, system, an electronic device and a computer program as in claims 5, 19, 33 and 50 above, Bahrs further discloses said data type and value pairs are defined in a markup language format (col. 48, lines 37-50). One would have been motivated to do so in order to dynamically refresh or change the view display.

Claims 7, 21, 35 and 52: Meppelink, Sullivan Balsara and Bahrs disclose the method, system, an electronic device and a computer program as in claims 2, 16, 30 and 47 above, Sullivan further discloses said view router provides a generic interface with generic methods and acts as an adapter for returning data from said first view to said first application or a subsequent application identified in said view chain

data structure (col. 5, lines 25-49) [It's inherent that closing the view of an application will automatically return all the data from the view to the said application]. One would have been motivated to do so in order to have a faster data processing system.

Claims 8, 22, 36 and 53: Meppelink, Sullivan Balsara and Bahrs disclose the method, system, an electronic device and a computer program as in claims 1, 15, 29 and 43 above, Bahrs further discloses said electronic device has a graphical user interface (col. 14, lines 1-6). One would have been motivated to do so in order to maintain and facilitate access to contextual information regarding the various application programs or files stored on the device.

Claims 10, 24, 38, and 55: Meppelink, Sullivan Balsara and Bahrs disclose the method, system, an electronic device and a computer program as in claims 8, 22, 36 and 53, Sullivan further discloses said view is a window opened during said launching step (col. 8, lines 66-67 and col. 9, lines 1-5). One would have been motivated to do so in order to facilitate the normal operation of the device by the user.

Claims 13, 27, 41 and 57: Meppelink, Sullivan and Balsara disclose the method, system, an electronic device and a computer program according to claim 12, 12, 26, 29 and 56 above, but do not explicitly disclose said view chain data structure is updated based on user actions. However, Bahrs discloses a user input is received at a container handled by a view controller, wherein the user input requests a change in permissions..." (col. 3, lines 61-67). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to dynamically update view route based on user action. One would have been motivated to do so in order to have a user-friendly device.

Claim 45: Meppelink, Sullivan and Balsara disclose the computer-readable storage medium according to claim 43 above, but do not explicitly disclose said computer readable medium is a removable memory card. However, Bahrs discloses a floppy disc as a type of removable readable medium (col.66, lines 30-33). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use a removable medium in Meppelink. One would have been motivated to do so in order to be more flexible in term of usage.

Response to Arguments

10. Applicant's arguments filed on 10/03/2008 have been fully considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- a. Barker et al. (US 4,714,918) discloses window view control.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phenuel S. Salomon whose telephone number is (571) 270-1699. The examiner can normally be reached on Mon-Fri 7:00 A.M. to 4:00 P.M.(Alternate Friday Off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272 4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Art Unit: 2178

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PSS

1/04/2009

/Stephen S. Hong/

Supervisory Patent Examiner, Art Unit 2178